

REMARKS

Claims 31-36 and 40 are currently pending in the present application. In the Office Action, claims 31-36 and 40 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0016177 (Miya et al.) and U.S. Patent No. 6,035,210 (Endo et al.).

The Examiner also objected to claim 40 due to informalities.

In the present reply, the Applicants have amended claims 31-32, 34-35 and 40.

Claim Objections – Claim 40

The Examiner objected to Claim 40 due to informalities. Claim 40 has been amended in accordance with the Examiner's requirements and the Applicants respectfully request withdrawal of the Examiner's objection.

Claim Rejections - 35 U.S.C. §103(a) – Claims 31-36, and 40

The Examiner rejected claims 31-36, and 40 under 35 U.S.C. 103(a) as being unpatentable over Miya et al. (U.S. Publication No. 2002/0016177) in view of Endo et al. (U.S. Ref. No. 6,035,210).

Miya illustrates an individual setting of power level for each particular timeslot using multiple transmit power commands (TPC) for each particular timeslot or using a signal to interference ratio (SIR) measurement of that particular timeslot. The present amended claims send a single power command for an entire CCTrCH which includes a plurality of time slots, and an interference power measurement for each timeslot. Miya deals with this scenario by sending multiple individual TPCs for each timeslot. That is, referring to Figure 5 in Miya, a TPC U_{i-1} is sent for timeslot $i-1$, TPC U_i is sent for timeslot i , and TPC U_{i+1} is sent for timeslot $i+1$. The present claims use a single power command for the CCTrCH and an interference measurement for each timeslot, where the downlink power is set for

each timeslot using only a single TPC for the entire CCTrCH and an interference measurement for that timeslot. Such an arrangement is not disclosed in Miya.

Endo is cited as disclosing the transmission of interference measurements. However, these interference measurements are not being used in any resemblance as to the manner recited in the claims. Miya uses multiple individual timeslot TPCs, where the downlink power for each timeslot is set based upon the TPC received for that timeslot. Accordingly, there is no reason that an interference measurement would be used in addition to the multiple TPCs, and Endo therefore teaches away from combination with the Miya reference, as no person of ordinary skill in the art would combine Miya with Endo since Miya provides a TPC per timeslot for power control of that timeslot.

Accordingly, Applicants respectfully submit that the amended claims are allowable over the Miya and Endo combination, whether taken alone or in combination with each other.

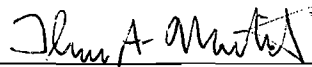
Applicant: Zeira et al.
Application No.: 09/845,803

Conclusion

In view of the foregoing remarks and amendments, the Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully solicited.

Respectfully submitted,

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